

REMARKS

Claims 2-9, and 11-24 are pending in the present application. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the following remarks made below.

Applicants thank and acknowledge the Examiner for indicating that claim 21 contains allowable subject matter and would be allowed if amended to independent form and to incorporate the subject matter of the base claim and any intervening claims.

Applicants also thank Examiner Herrera for granting a telephonic interview to discuss the merits of the present application. During the interview, Applicants representative pointed out that the Examiner's cited references fail to teach all the limitations of claim 23. The cited references fail to teach how a packet switched call is transferred from a first network to a circuit switched call over a second network. For example, the cited references fail to teach or suggest a handoff notification request is received by a second network; the handoff notification request instructs the second network to send a call transfer request to a first network when the second network receives a handoff notification from a mobile station; and the call transfer request requesting transfer from a packet switched call carried over the first network to a circuit switched call over the second network.

In response to Applicants' remarks, the Examiner acknowledged that Applicants' position appeared correct and that the claims appeared to be patentable over the cited references, but additional search and discussion with the Examiner's colleagues were required.

DRAWINGS

Although the Examiner did not object to the drawings in the Final Office Action, during the telephonic interview the Examiner pointed-out that Applicants failed to submit formal drawings for FIG. 1 in response to the First Office Action. Applicants submit formal drawings for figure 1.

CLAIM REJECTIONS – 35 U.S.C. §102

Claims 2-20 and 22-24 stand rejected under 35 USC 102(e) as being anticipated by Ejzak et al. (USP 6,721,565). Applicant traverses this rejection.

The Examiner's alleges that Ejzak et al. teaches all the limitations of independent claims 23 and 24.

Claim 23 recites "receiving a handoff notification request from a packet call controller at a network controller of the second network, the handoff notification request instructing the network controller to send a call transfer request to the packet call controller when a handoff request for a mobile station is received by the network controller, the call transfer request requesting transfer from a packet switched call carried over the first network to a circuit switched call over the second network." The handoff notification request instructs the second network to send a call transfer request to a first network when the second network receives a handoff notification. The call transfer request requesting transfer from a packet switched call carried over the first network to a circuit switched call over the second network. In other words, claim 23 recites that a handoff notification request is received by a second network.

In the Examiner's Response to Arguments, the Examiner alleges "while a mobile is in a given cell, and handover is requested between networks of different types is initiated; where one system sends a call transfer request to other system, reads on Ejzak (col. 9 lines 50-67-col. 10

lines 1-7; col. 10 lines 49-67-col. 11 lines 1-22, Ejzak teaches the process of performing a call handover between a packet network to a circuit network.”¹ Although, the Examiner recognizes that claim 23 is a method of transferring a packet switched call from one network to another network, the Examiner fails to recognize how the packet switched call is transferred. For example, Ejzak et al. at col. 9 lines 50-67-col. 10 lines 1-7, at best teaches conventional circuit systems, and that the conventional circuit systems may have the ability of “distinguishing among users terminals having capabilities of interworking calls with certain other systems.” It also teaches that a mobile station during handover “will report only cells with which it is compatible.” Also, Ejzak et al. at col. 10 lines 49-67-col. 11 lines 1-22 teach background information on how a terminal 140a (mobile phone) is connected to a landside terminal 134. Therefore, Ejzak et al. fails to teach a handover as recited in claim 23.

In the Final Office Action, the Examiner alleges that col. 11 lines 50-67, col. 12 lines 1-10, and col. 4, lines 25-38 & 52-64, teach “receiving a handoff notification request from a packet call controller at a network controller of the second network, the handoff notification request instructing the network controller to send a call transfer request to the packet call controller when a handoff request for a mobile station is received by the network controller, the call transfer request requesting transfer from a packet switched call carried over the first network to a circuit switched call over the second network,” as recited in claim 23.

Ejzak et al. teaches that CSCF 152 and MGCF/T-SGW 154, located in a packet domain, cooperate to negotiate a handover with system (circuit domain) 120. (Step 714 of FIG. 7.) The circuit domain 120 allocates radio resources, notifies the packet domain 110, and establishes path 280. (Step 716 of FIG. 7). Under the direction of the packet domain 110, a wireless terminal 140 begins to use the target traffic channel. (Step 718 of FIG. 7).

Ejzak et al. may teach a method of transferring a packet switched call from one network to

¹ See Page 3 of the July 13, 2006 Office Action.

another network, but no where in Ejzak et al. does it suggest or teach that a handoff notification request is received by a second network, the handoff notification request instructs the second network to send a call transfer request to a first network when the second network receives a handoff notification from a mobile station, or the call transfer request requesting transfer from a packet switched call carried over the first network to a circuit switched call over the second network.

For at least the reasons given above, Applicants submit that claim 23 is patentable of Ejzak et al.

Claim 24 similarly recites the limitations of claim 23. Specifically, claim 23 recites a method from a perspective of the second network, and claim 24 recites a method from the perspective of the first network. Therefore, claim 24 is also patentable for the reasons given above with respect to the patentability of claim 23.

Dependent claims 2-8 and 11-20, and 22, are also patentable for at least the same reasons given above with respect to the patentability of their base claims 23 or 24.

CLAIM REJECTIONS – 35 U.S.C. §103(a)

Claims 1, 3, 8-11 and 22 are rejected under 35 USC 103(a) as being unpatentable over Julka et al. (USP 6,917,810) in view of Ray et al. (USP 6,424,638).

The Examiner notes that Julka et al. does not teach receiving a handoff notification request; but that Ray et al. teaches a handoff notification request and that the handoff notification request corresponds with a call transfer request. Column 3, lines 43-65. The Examiner concludes that it would have been obvious to combine the teachings of Julka et al. and Ray et al. Without acquiescing to the Examiner's rejection reasons in view of Julka et al., Applicant disagrees with the Examiner's rejection reasons with respect to Ray et al., and thereby traverses this rejection.

As remarked above, claim 23 recites (1) a handoff notification request and (2) a handoff request. The **handoff notification request** is a request to a second network to notify a first

network when the second network received a handoff request. The handoff request is a request to transfer a call.

Julka et al. teaches that a mobile station 22 indicates the need for a handoff to a new MSC (column 9, lines 62-65), and Ray et al. teaches that a serving MSC 14a sends a handover required message to a target MSC 14b. (Column 3, lines 43-65). No where in Ray et al. does it teach that a handoff notification request is received by a second network. In other words, Ray et al. does not teach or suggest the handoff notification request instructing the second network to send a call transfer request to a first network when the second network receives a handoff notification.

For at least the reasons given above, Applicants submit that claim 23 is patentable over the combination of Julka et al. in view of Ray et al. Claim 3, 8, and 9, which are dependent to claim 23, are also patentable for same reasons given above with respect to the patentability of claim 23 and for additional limitations recited thereby.

With regard to claim 24, the Examiner alleges that Julka et al. discloses all the limitation of claim 24, except for sending a handoff notification request, the handoff notification request requesting sending a notification if the second network receives a handoff request. However, the Examiner contends Ray et al. discloses such a limitation. Column 3, lines 43-65.

As remarked above with regard to claim 23, Ray et al. does not teach or suggest “sending [receiving] a handoff notification request to the second technology network, the handoff notification request requesting that the second technology network send notification when the second technology network receives a handoff request for the mobile station.”

For at the reasons given above, Applicant submits that claim 24 is patentable over the combination of Julka et al. in view of Ray et al.

Claim 11 and 22, which are dependent claims on claim 24, are also patentable for same reasons given above with respect to the patentability of claim 24 and for additional limitations recited thereby.

Claims 2, 6, 12, 14, 16 and 18-20 are rejected under 35 USC 103(a) as being unpatentable over Julka et al. in view of Ray et al. and further view of Surdila et al. (USPA 2002/0110104).

Claims 2 and 6 are dependent on claim 23, and claims 12, 14, 16 and 18-20 are dependent on claim 24. For at least the same reasons given with respect to the patentability of claims 23 and 24, Applicants submit that dependent claims 2, 6, 12, 14, 16 and 18-20 are also patentable over Julka et al. in view of Ray et al. Applicants further submit that Surdila et al. fails to cure the disclosure and suggestion deficiencies in Julka et al. in view of Ray et al. Therefore, claims 2, 6, 12, 14, 16, and 18-20 are also patentable.

Claims 5, 7, 13, and 15 are rejected under 35 USC 103(a) as being unpatentable over Julka et al. in view of Ejzak et al.

Claims 5 and 7 are dependent to claim 23, and claims 13 and 15 are dependent to 24, and for at least the reasons given with respect to the patentability of claims 23 and 24, Applicants submit that dependent claims 5 and 7 and 13 and 15 are also patentable. Applicants further submit that Julka et al. fails to disclose the deficiencies of Ejzak et al. as remarked above.

Claims 4 and 17 are rejected under 35 USC 103(a) as being unpatentable over Surdila et al. in view of Faccin et al (US 6,725,036).

The Examiner rejects claim 4 as applied to claim 3. Claim 3 depends on claim 23, and claim 4 is rejected based on Ejzak et al. in view of Julka in view of Surdila et al. and in further view of Faccin et al. For at least the reasons given above with respect to the patentability of 23, claim 4 is also patentable.

The Examiner rejects claim 17 as applied to claim 16. Claim 16 depends on claim 24, and claim 17 is rejected based on Ejzak et al. in view of Julka in view of Surdila et al. and in further view of Faccin et al. As remarked above, claim 17 is patentable for at least the same reasons given with respect to the patentability of claim 24.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 2-8, 11-20, 23 and 24 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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